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GAYNOR KEEPS 'EM PUZZLED

EVEN MEN HE CONSULTS DON'T KNOW HIS SLATE.

An impression that Hyde will be Corporation Counsel—Robert Adamson to be the Mayor's Secretary—Four men decline to serve "On Trial."

There was no falling off yesterday in the number of visitors to the home of Mayor-elect Gaynor in Brooklyn and the conferences with them occupied most of his time. The callers included James W. Osborne, Fire Commissioner Hayes, Deputy Police Commissioner Stover, Charities Commissioner Hebbard, Assistant District Attorney F. W. Ward, Assistant Corporation Counsel J. G. Britt and Sister Scholastica. Judge Gaynor declined to intimate whether his appointments would be announced to-day or when he assumes office to-morrow, but they are rather expected this evening.

Mr. Gaynor has requested that there be no brass band business about the formality of handing over the city government to him at noon to-morrow. He and Mayor McClellan have been in communication and it has been arranged that the two shall meet in the Mayor's private office just before noon and then walk out together to the big reception hall where Mr. McClellan will relinquish the Mayoralty to his successor. Mr. McClellan will speak for only about a minute and then Judge Gaynor will follow with a more extended address. There will be the usual reception afterward, but Mr. Gaynor wants this off as short as possible so that he can begin at once on the work of his new office.

The anxiety of the Democratic managers in Brooklyn about the recognition of the organization has not apparently been relieved as a result of Leader John H. McCooney's conference with the Mayor-elect on Tuesday evening. Most of the appointments at the disposal of the incoming Democratic county officers have been held up pending Judge Gaynor's action on the applications for appointment which have been forwarded by the organization, and there is as a result considerable confusion at Democratic headquarters.

A prevailing opinion there is that Dr. Joseph J. O'Connell is slated for the Health Commissionerhip, that Police Commissioner Baker and Street Cleaning Commissioner Edwards will be continued for some time at least, and that Joseph Le Baron Johnson may be the new Fire Commissioner.

Last night Judge Gaynor announced that Robert Adamson would be his secretary, Mr. Adamson having for several years been the City Hall and political reporter for the World. He was born in Georgia and after working for a time as a reporter for the Atlanta Constitution he was promoted to be its city editor. Coming north about a dozen years ago, he first became a member of the staff of the EVENING SUN and afterward joined the World. He is about forty years old.

Edward M. Grout had he wished could have had the office of Corporation Counsel. It was not only offered to him but Judge Gaynor made a personal appeal to him to accept the place. Mr. Grout felt that his duty to his family would not permit him to give up his law practice. In the consideration of the names for the places Mr. Gaynor will have to fill he has frequently called Mr. Grout into consultation, but, according to friends of Mr. Grout, has been so non-committal that even Mr. Grout could not safely speculate on the makeup of Mr. Gaynor's slate. It is supposed, however, that Charles H. Hyde will be the new Corporation Counsel.

Mr. Hyde's people have Maine folks, and early in Mr. Hyde's career, Mr. Gaynor took him into his Brooklyn law office and made a lawyer of him and later on admitted him into partnership. For a number of months Charles H. Hyde has had a great number of suits against the city. For several weeks application has been made to various Supreme Court Justices for the substitution of other lawyers than Mr. Hyde for the plaintiff, and lawyers in the Corporation Counsel's office and elsewhere concluded that Mr. Hyde had been paying the way for his appointment as Corporation Counsel.

There is some confusion, if not a direct misunderstanding, as to the recognition of Joseph Cassidy, formerly leader of the Democrats of Queens Borough, and this comes out of the misunderstanding between Chairman William J. Conners of the Democratic State committee and Charles F. Murphy, leader of Tammany. Mr. Conners has had several talks with Mr. Gaynor. Greaser has beaten Cassidy for the last four years in the borough, although two years ago Conners and Murphy recognized Cassidy over Greaser. In 1908, though, Greaser was recognized by Conners and Murphy recognized Cassidy, and there has been trouble ever since, but Greaser with his votes in the Board of Aldermen proposes now to be recognized in the matter of all nine appointments for Queens Borough. Murphy is still insisting on the recognition of Cassidy.

Mr. Gaynor, it was stated, does not believe that he desires to retain Dr. Darrington, head of the Department of Health, Edwin Sefton, formerly assistant secretary of the national Democratic committee, occupying that place for twelve years, was mentioned last night in the limelight as a possible successor to Mr. Polk for president of the Municipal Civil Service Commission.

Mayor McClellan received yesterday the resignations of Bridge Commissioner Stevenson, Corporation Counsel Fendleton and Charities Commissioner Hebbard. He accepted them and sent each a letter of thanks for services to the city. The Mayor will receive to-day the resignation of President Polk of the Municipal Civil Service Commission.

All four of these officials might have held over had they wished. Judge Gaynor had desired them to continue in office for a few weeks. It is understood that all of them would have been willing to stay on for a little while in order to be of service to the Mayor in the reorganization of the city government, but it seems that the Mayor-elect in his letters to them intimated that they could only expect to remain "on trial." So they resigned.

MR. TAFT'S DAY IN TOWN.

The President Attends a Wedding and a Theatre and Goes Home.

President Taft made a flying trip to New York and back to Washington yesterday. He came here to attend the wedding of his niece, Miss Louise W. Taft, to George H. Snowden. The wedding ceremony was performed at the home of the President's brother, Henry W. Taft, at 36 West Forty-eighth street. President Taft left Washington at 9 o'clock yesterday morning and arrived at the Jersey City terminal of the Pennsylvania Railroad at 2:12. He crossed the river on the Twenty-third street ferry and was driven in an automobile through Twenty-third street to Fifth avenue and up Fifth avenue to Forty-eighth street. The President was accompanied by Capt. Butt, his military aide, and James Sloan, his secret service guard. On the journey from Washington the President busied himself dictating a part of his forthcoming message on trust regulation.

Mr. Taft remained at his brother's house after the wedding ceremony, which took place at 4 o'clock in the afternoon, until theatre time, when he went to Maxine Elliott's Theatre to see "The Passing of the Third Floor Back." The President and his party drove from the theatre to the ferry and took the 12:30 train from Jersey City back to Washington.

At the theatre the President occupied a box with Mr. and Mrs. Charles F. Taft and their daughter Louise, Miss Torrey, Mr. and Mrs. Henry W. Taft. The box was draped with flags and as the President took his seat the orchestra played "America" and the audience applauded. At the end of the second act Mr. Forbes-Robertson was summoned to the box to receive the President's praise of his performance.

CAPT. LINDERMANN WINS.

Five Others Retired by Bingham Can Get Back Following This Decision.

Ex-Police Captain Ernest Lindermann, who with five other captains was retired by Commissioner Bingham nine months ago, has won out in his fight for reinstatement. The Appellate Division of the Supreme Court in Brooklyn handed down yesterday a decision in his favor, ordering the reversal of the action of the lower court with \$10 costs and disbursements and restoring the relator to his old place in the Police Department.

The opinion was written by Justice Woodward, and Justices Hirschberg, Burr and Miller concur. Justice Jenks taking no part in the litigation.

Capt. Lindermann was in charge of the Richmond Hill precinct at the time of his retirement. He said last night that on the morning of March 29, when he was superintending roll call at the station, he received notification of his compulsory retirement on the age limit. Although he had thirty-four years service on the force to his credit he felt, he said, that he was in thorough shape for several more years of police work and he determined to make a fight for reinstatement.

The other captains retired at the same time as the age provision were Conroy, Summer, Cruise, Wormald and Penick, and under the ruling of the Appellate Division they can all resume their former standing in the department if they are so disposed.

ROBBED AND NEARLY KILLED.

Plumber Found in His Shop With Throat Cut and Skull Broken.

Jacob Grain, a plumber, who a week ago opened a shop at 107 Moore street, Williamsburg, was found on the floor of his shop last night, his throat cut, his skull fractured apparently by a blow from his own hammer and a dozen stab wounds in his body. He is dying in St. Catherine's hospital.

Grain was found by his wife, who, when he did not come to supper, became worried and at 10:30 in the evening got a neighbor to go with her to the shop. The door was unlocked and Grain was unconscious on the floor. One of his hammers lay beside him. His skull had been fractured, his teeth knocked in and his face bruised with the hammer.

There were two serious stab wounds in his abdomen and ten more in various parts of his body. His pockets had been turned inside out and whatever had been in them was taken. The man's wife thought he had had about \$5 with him. The police believe that robbery was the cause of the assault.

The man was carried into a drug store at Varot and Humboldt streets, and from there an ambulance took him to the hospital. The physicians say he has little or no chance of recovery.

Grain is 36 years old and lives with his wife and three children at 174 McKibbin street. He had been a journeyman plumber until a week ago, when he opened the small shop for himself.

Capt. Shaw of the Stagg street police station turned out all the men he had and searched the district for suspects. The police began work with no clues and at 1 o'clock this morning had not made an arrest.

GEN. WEAVER DIVINE HEALER.

Finds New Truth Greater Than Greenbacks, Free Silver or Populism.

DES MOINES, Iowa, Dec. 30.—Gen. James B. Weaver, veteran campaigner for greenbackism, populism and later for Bryanism, bade adieu to politics to-day and announced that for his few remaining years he would lead a crusade in behalf of divine healing.

Gen. Weaver once headed the Greenback ticket for President and once the Populist ticket for the same office and his voice has been heard on the stump in every State in the Union.

To-day he admits that his eyes have been opened to truths far more inspiring than can be found in political platforms, namely, that Christ meant what He said and when He promised that the prayer of faith should save the sick.

Gen. Weaver is now formulating a call for a national convention to meet in Des Moines probably in April, when plans will formally be laid for a new religious campaign for the dissemination of the doctrine of divine healing.

Close to Kidnapped Child.

LOUISVILLE, Ky., Dec. 30.—It is understood that the parents of Alma Kellner, who disappeared from her home three weeks ago, received a letter late this afternoon from a person in an Ohio town promising to return the little girl if the family will pay \$5,000 ransom. The Kellner family is considering the matter and refuses all information, even the name of the place in Ohio.

SEEK RICH GIRL AND WAITER

SERVANT AGED 50 CHARGED WITH ABDUCTING MISS OF 16.

Both Disappeared From the Bellevue-Stratford in Philadelphia Near the Same Hour—Girl's Grandfather Gets Letters From Her Hiding at Suicide.

Miss Roberta E. de Janon, a sixteen-year-old granddaughter and prospective sole heir of Robert Buist, the wealthy seed merchant of Philadelphia, with whom she made her home at the Bellevue-Stratford in that city, disappeared last Wednesday morning.

Three hours later the father of the girl lodged a charge of abduction against Frederick Cohen, a waiter at the Bellevue-Stratford, who disappeared at the same time.

Cohen, who is almost fifty years old, left a wife destitute at his home, 1643 Christian street, Philadelphia. He had gained the entire confidence of Mr. Buist during the months that he had been employed to serve meals in the apartments occupied by the family on the seventh floor of the Bellevue-Stratford.

Mrs. Ferdinand de Janon, the girl's mother, died at the University Hospital in Philadelphia a month ago. Until then she had made her home at the Bellevue with her father and daughter. She was an invalid for almost a year.

The father and grandfather of Miss de Janon are still unwilling to believe that she eloped with the waiter, though the police of every Eastern city have been furnished with descriptions of the two and instructed that they left this city together some time on Wednesday morning.

A belief that the young girl has committed suicide is based upon two letters received by her father after her disappearance. One was found pushed under the door of a room in the suite at the Bellevue when an alarm sent out by the girl's governess had brought him to the hotel and another was awaiting him at his New York office when he reached there with detectives from Philadelphia who had been assigned to the case.

Both letters were couched in affectionate terms, and in the first the girl said that she could not live without her mother and that she would probably be dead by the time her letters reached her father. She wrote that she intended to commit suicide "either in Fairmount Park or in the Schuylkill River," both of which are in Philadelphia.

Mrs. Julia Cohen, the wife of the missing waiter, was the first to give the Philadelphia police information on which they built up the theory of an elopement.

She accompanied the father of Miss de Janon and the detectives to this city yesterday in an effort to guide them to the old haunts of her husband, but late last night no trace of either Miss de Janon or Cohen had been found.

Upon the death of Miss de Janon's mother a month ago and when as a consequence her father came to New York to take up his residence, her grandfather, Mr. Buist, who is wealthy and who was devoted to the girl, had papers drawn for the formal adoption of the girl as his ward and heir. One of the last things Miss de Janon did before her disappearance was to put her signature to this document.

The day before leaving the Bellevue she had visited Glenwood Cemetery in the height of the storm to put flowers on her mother's grave. Her relatives learned after she had disappeared that Cohen had accompanied her on this trip.

Miss de Janon is of slight figure, with dark complexion and dark eyes. She was to have entered Miss Shipley's preparatory school at Bryn Mawr on January 3. All arrangements for her going had been made and her clothing and belongings had been packed.

Cohen is a short and slight and partly bald. Before his engagement at the Bellevue he was employed in the dinner room at the Walton in Philadelphia. He is said to have two aliases and has been known variously as Ferdinand Cook and Ferdinand de La Chapelle. He went to the Bellevue on Wednesday morning at 8 o'clock and drew \$28 that was due him and told the head waiter that he had quit and was about to leave the city.

Miss de Janon was well supplied with money. She disappeared an hour later. The police say they took a train for New York.

Miss de Janon left her apartments after telling her governess and her father that she was going out for a walk and would be back in an hour. When she had not returned late in the afternoon, her father notified the police, and an investigation that followed turned up the information on which the charge of abduction was made against the waiter.

Employees of the hotel said they had witnessed demonstrations of interest between the waiter and the girl. He is said to have told her that he was heir to a wealthy Spaniard, that his name was Cohen but La Chapelle and that he owned extensive lands in Florida.

Mrs. Cohen when sought out by the police on Wednesday evening said that her husband had often spoken of the girl and had shown her a gold matchbox affectionately inscribed, which he said she had given him as a Christmas present.

Mrs. Cohen told the police that her husband had asked how she would regard a proposition for a divorce for a money consideration.

The New York police received notification of Miss de Janon's disappearance on Wednesday from Robert Buist. Buist thought that possibly the girl might be found at the home of a Mrs. Kennedy at 484 West 145th street. Inquiry of Mrs. Kennedy brought the reply that she had not seen Miss de Janon in a year.

TWO MORE BOMBS GO OFF.

One Hurts a Passing Child—Other Followed Black Hand Letter.

A bomb thrown in front of the store of Carmelo Sanfilippo & Co., dealers in steamship tickets, foreign money, &c., at 261 Elizabeth street, last night blew a hole six feet in diameter in the boarding over the cellar.

Sadie Bernardo, 10 years old, who lives on the third floor of the building, was going on an errand when the bomb went off and was struck by a fragment. Her left leg was cut and a surgeon had to be called.

Sanfilippo says he has received no threatening notes and can't see why the bomb was thrown.

Paquale Tomafio, an Italian who lives behind his grocery shop at 78 Ninth avenue, received a letter recently threatening to blow him up if he failed to be at the gate of Calvary Cemetery at midnight on December 28 with \$1,500 in cash. The letter was written in red ink and bore a skull and crossbones.

Last night a bomb made of a piece of iron six inches long loaded with shot was set off by a fuse in front of Tomafio's back door. The shot penetrated the door and made holes in the walls of the store, where Tomafio was.

This was the fourth of a series of bomb explosions in the vicinity recently. The procedure has been the same in all cases.

SHOPS MOVE UP 5TH AVENUE.

Vanderbilt and Sloane Waive Restrictions on the Langham Site.

W. D. Sloane, William K. Vanderbilt, Sr., and Mrs. E. H. Harriman signed an agreement yesterday waiving the restrictions on the site of the old Langham Hotel and authorizing the brokerage firm of Pease & Elliman to sell the land for business occupancy.

The Langham Hotel stood on the northeast corner of Fifth avenue and Fifty-second street, where it occupied a plot 115x130 feet in size. In 1903 the Shannan estate sold the hotel to Fluke & Dowling, who subsequently resold it to William K. Vanderbilt and W. D. Sloane for \$1,350,000, following the announcement that an apartment house was to be erected there.

Sloane and Vanderbilt bought the hotel as a butt. Then the late Edward H. Harriman took over the plot. At his death the property reverted to his widow. The 65 foot plot adjoining the corner was held intact by Sloane and Vanderbilt.

The agreement signed yesterday provides for the sale of the two holdings as a single plot.

NO ALIMONY TO QUESTING WIFE.

Rampersperg Satisfies the Court That He Paid in Advance.

Mrs. Amelia Pernod Rampersperg, wife of Herman G. Rampersperg, head of the importing firm of H. G. Rampersperg & Co. at 114 Broad street, who was held up at Ellis Island for nearly a month when she came over here last October, has brought suit for a separation, and asked Supreme Court Justice Dowling yesterday to grant her \$75 a week alimony pending the suit. The Court denied the application, on the statements in Mr. Rampersperg's answer.

Rampersperg said that his wife inherited \$27,500 from her mother and \$37,500 from her father, and that under the Swiss law he had power to control this money. He released all his claim to the estate on the agreement that his wife would not look to him for support in the future.

Mrs. Rampersperg, he said, got away from her daughter's villa on Lake Geneva by stealth and the daughter cabled to all parts of the world for trace of her, but learned nothing until it developed that she had been detained on Ellis Island. She was finally released when she proved that she was the wife of an American citizen.

Justice Dowling decided that the contract under which Rampersperg gave up his claim to his wife's estate was valid and is a bar to the granting of alimony.

BARBER CHALLENGES DICK.

Head of Match Trust Wants to Debate With Ohio Senator.

AKRON, Ohio, Dec. 30.—Ohio C. Barber, head of the match trust, to-day issued a challenge to Senator Charles W. F. Dick, offering to pay all expenses of a public debate in this city or in Washington on Senator Dick's fitness to be returned to the Senate.

Senator Dick has not responded as yet. Barber asserts in his challenge that the Senator's votes on the tariff bill and his attitude on railroad legislation make questionable his right to ask reelection.

The Senator yesterday announced his intention to circulate petitions asking a Statewide primary to choose the Republican Senatorial candidate, at the same time praising Senator Aldrich and declaring he would not alter his votes on the tariff schedules if he could.

Dick collected thousands of dollars in back taxes from Barber when Dick was auditor of Summit county fifteen years ago. As a result of that suit Barber received his match factory from Barber and made his legal residence in New York city.

LINER EXCELSIOR DISABLED.

So. Pac. Boat So Reported by Wireless. Then as All Right Again.

The United Wireless received this message last night:

"The Clyde steamship Comanche, bound from Charleston for New York, reports passing Southern Pacific steamship Excelsior forty miles north of the Diamond Shoals lightship at 12:45 P. M. The Excelsior had stopped and was displaying two balls denoting she was not under control."

Later last night the wireless company got into communication again with the Comanche. The Clyde liner then said that the Excelsior was not displaying any distress signals.

The Excelsior left New York on Wednesday for New Orleans.

AM. EXPRESS OFFICES BURN

ADAMS IN DANGER; EXPLOSION; THREE MEN HURT.

Firemen Fight Hard to Save Buildings Adjoining the Old Plant Near the Grand Central Yards—Engine 68 Man Injured—Much Freight Goes.

The American Express Company's offices at Madison avenue and Forty-seventh street, backing up on the New York Central yards, caught fire a little after midnight last night.

Within half an hour the greater part of the offices had been destroyed and the firemen were fighting to keep the flames from spreading to the office of the Adams Express Company, which abuts the American offices on the north, and the storage house of the American company on the south.

A few minutes after the fire started there was an explosion and flames shot out in all directions. At that time 150 employees of the company were in the building. Two of the men, Peter Schwallier of 452 West Forty-third street and Michael McManus of 331 East Thirty-eighth street, both porters, were badly burned. They were taken to the Flower Hospital.

The explosion seemed to spread the flames throughout the buildings, which are largely of frame construction, erected around an old church. The shells in the rear from which cars are loaded went first. No cars were standing on the Central tracks and the flames were kept from doing damage in the yards.

Deputy Chief Langford after sizing up the blaze sent in the third alarm, which brought Chief Croker. The blaze was a hot one.

The firemen had hardly got to work when a wisp of flame shot out and caught Fireman Philbin of Engine Company 65. He was severely burned and was taken to the hospital.

The firemen had an hour and a half of the hardest kind of work to prevent the fire from spreading. Employees of the express company, working with hand trucks, got out what freight they could and moved it down the street, but practically everything that was in the yards of the American company was destroyed.

There were three or four explosions before the fire was got under control at 1:40 o'clock. These, the firemen guessed, were furnished by barrels of oil among the freight.

The building on the south, also occupied by the American Express Company, in which \$5,000 worth of furs were stored, was saved. Of the rest of the American offices and sheds nothing was left but the walls of the old church, which had been used for an office building.

A few minutes before the fire started a long train had been made up on the New York Central tracks and filed. It was a car of the American Express Company. This was pulled out of harm's way before the fire began.

Some one who was in the building at the time the fire started, said that the two porters who were burned had been attempting to put out the fire and had been injured by the explosion of hand extinguishers.

Chief Croker could put no estimate on the loss. It was believed that because of the large amount of goods destroyed it would reach at least \$100,000.

TABERNACLES UNCOVERED.

Cut Masterpieces Found by Accident in Catholic Church in Florence.

ROME, Dec. 30.—An important discovery was made by accident to-day in the Church of Santa Maria di Maggiore at Florence, in the side chapel dedicated to the Virgin of Mount Carmel. Mosaic attempted to enlarge two small niches in the wall where holy oil was kept. While removing the plaster they discovered concealed underneath two marble tabernacles representing the figure of Christ surrounded by angels and flanked by two columns supporting a cornice bearing a graceful floral decoration.

The workmanship is described as exquisite. It is unhesitatingly attributed to Mino da Fiesole. Several of the figures are damaged, having been broken by a chisel. When the superposed wall was raised the tabernacles were plastered over, but the masterpieces are sufficiently well preserved not to diminish their artistic value.

NABBED AS BLACKHANDERS.

Three Men Accused of Terrorizing and Extorting Money From a Widow.

Rosalie La Mariani, a widow who lives at 977 Flushing avenue, Brooklyn, got so many mysterious letters in which she was advised to sell her half interest in a house at 277 Troutman street, that she finally disposed of her interest for \$500, though it was estimated to be worth \$1,500. After she had collected the money she got other letters in which she was told that if she did not give up the purchase price harm would come to one of her children.

Joseph La Mariani, the eldest son of the woman, told the police about the letters, and last night three detectives from the Italian bureau went to a saloon at Wiloughby and Central avenues, where they arrested three Italians. In the possession of one of them they found marked money that they had given to Joseph to pay to the alleged blackmailers.

The prisoners said they were Pietro Contassano, Erasmo Lubino and Antonio Montelone. They were locked up at the Brooklyn headquarters and will be arraigned this morning in the Adams street police court. Contassano lives in the house in which the widow owned a half interest and is the one to whom the letters advised her to sell her interest. He owned the other half.

TAXICAB BURNS UP.

Chauffeur Threw Snow on the Flames, but They Needed Water.

A taxicab driven by Henry Engle, a chauffeur in the employ of the New York Taxicab Service Company, caught fire in Columbus Circle last night. Engle jumped out and bystanders tried to help him extinguish the blaze with snow. The car wouldn't be doused, however, until firemen smothered it with water. The car was practically destroyed.

COLD WON'T LAST LONG.

Mercury Down to 6 Yesterday Morning and to 13 Last Night.

The official mercury got down to 6 degrees at 5 o'clock yesterday morning. This is more than normally cold for December. Under the influence of a wind that came out of the west the temperature rose at 4 o'clock in the afternoon to 17 degrees. The frigidify will depart gradually, and unless the prophets have missed the meaning of their charts, may have a breeze from the southwest to-day, with some of the mildness of the Virginia region. At 11 o'clock last night there was fresh wind from the west and the mercury was at 13. The local experts said it might drop to 9 before daylight and that thereafter real winter might be a memory only for a day or so.

DUEL IN HAVANA?

Spanish Minister Has Wounded Hand and Man About Town Is Dead.

HAVANA, Dec. 30.—Señor Soler, the Spanish Minister, is confined to his room with a wounded hand. It is rumored that he received his injury in a duel, to hush up all information of which every effort has been made. Col. Alberich, a man about town, was buried to-day, and he is said to have been the Minister's opponent. It is alleged that he died of heart failure. It is reported that the duel was the result of an insult offered to Señora Soler.

TELEPHONE GIRL SAVES LIFE.

Braves a Gas Filled Cellar to Drag Out an Unconscious Janitor.

Miss Florence Green, telephone girl in an apartment house at 367-369 East 142d street, smelled gas yesterday afternoon which evidently came from the cellar, where she ran to the cellar stairs and opened the door.

Gas fumes nearly stifled her, but she went on down the stairs. She could see a man lying on the bottom step.

Protecting herself as well as she could from the gas she got hold of the body and dragged it out of the cellar. Dr. Iron, called from Lincoln Hospital, worked over the man for three-quarters of an hour before reviving him. The doctor said that he undoubtedly owed his life to the prompt action of Miss Green.

The man was Frank J. Janitor of the apartment house. The cold spell had frozen the gas pipes and he had been overcome while trying to thaw them.

MRS. KIP GETS DIVORCE.

Remo Court Grants Freedom on Ground of Desertion.

REMO, Nev., Dec. 30.—Mrs. Frances Koster Kip, wife of Henry Spies Kip of New York, got a divorce to-day because of desertion.

The Judge was surprised by Mrs. Kip's admission that she laid no claim to their only child. She said that being a boy he most needed a father's care.

The Judge insisted upon a clause in the divorce decree giving the mother liberty to see the child at any time. No property rights were involved. Mrs. Kip has a fortune in her own right.

The desertion took place at the Osborne apartments in New York on November 12, 1908. They were married in 1902.

INDICTED FOR COLD CARS.

Street Railroad President Charged With Failing to Provide Heat.

CINCINNATI, Dec. 30.—W. Kealey Schoepf, president of the Traction Company, Cincinnati's street railway system, was indicted by the Hamilton county Grand Jury to-day for failure to keep the street cars warm.

The indictment contains four counts, each charging a separate offense. It is alleged that he "knowingly failed to refuse" to comply with the State law which requires that each car operated in Ohio shall have the motorman's vestibule kept at a temperature of not less than 60 degrees.

Schoepf's indictment follows close upon the indictment of President Ernst of the over the river traction lines on the same charge. Ernst pleaded guilty and paid a heavy fine and at the same time promised in open court to comply with the provisions of the law in the future.

BROWN INSTRUCTOR KILLED.

David Wilkinson Smith Struck by Trolley Car—Skull Fractured.

PROVIDENCE, Dec. 30.—David Wilkinson Smith, an instructor in Greek at Brown University, was struck and instantly killed by a trolley car in North Smithfield this afternoon. Mr. Smith, who was rather nearsighted, probably miscalculated the speed of the car.

Mr. Smith ran across the tracks ahead of the car in order to be near the open door but failed to clear the tracks. The front of the car struck him and tossed him aside with a fractured skull.

Mr. Smith was graduated from Brown in 1907, getting both A. B. and A. M. degrees in four years. He was elected to Phi Beta Kappa in his junior year. He had acted as instructor in Greek since his graduation and was considered one of the brightest Greek students who ever matriculated at the university. He was 26 years old, the son of Charles H. Smith, and was unmarried.

MILLIONS FOR PHILANTHROPY.

Chicago Bachelor's Will Provides for Brother and Brother's Widow Too.

CHICAGO, Dec. 30.—Between \$2,000,000 and \$2,500,000 was left to religious, educational and charitable institutions by Thomas Murdoch, president of Reid, Murdoch & Co., wholesale grocers, who died on Christmas Day.